

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60785 of 2024

Arising Out of PS. Case No.-288 Year-2024 Thana- KAHALGAON District- Bhagalpur

=====

Pramod Tanti @ Pramod Kumar Sharma Son of Jagarnath Tanti @ Jagarnath Sharma Resident of Khutahari ward No.4, P.S. - Kahalgaon, District - Bhagalpur (Address wrongly mention in FIR as resident of Village - Jamuniya Tola NTPC Gate No.1, P.S. - Kahalgaon, District - Bhagalpur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar No.6, Advocate

For the Opposite Party/s : Mr. Asha Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-09-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Kahalgaon P.S. Case No. 288 of 2024 for the offence under Sections 363, 366-A and 34 of the Indian Penal Code lodged on 28.04.2024 by the informant, Sheikh Suddin.

3. As per the prosecution story, the informant alleged that when they were out to cast vote during Lok Sabha Election on 26.04.2024, the girl went missing. Later, it came to knowledge that she has married Vinod Lala and this petitioner has helped in the said criminal act. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that he is the land owner where the informant/family member resides, it is an admitted position that allegation is against Vinod Lala that



he took away the girl and only because there was rent issue with the family, his name has been dragged in. Though, the girl changed her statement what she gave under section 161 of the Cr.P.C. with the later statement under section 164 of the Cr.P.C., in any case, the main allegation is against Vinod Lala.

5. Learned APP opposes the prayer submitting that allegation is that he facilitated the kidnapping of the girl with Vinod Lala.

6. Having heard the parties, this Court finds that the main allegation is against Vinod Lala, this petitioner is the land lord where the informant resides, do not have criminal antecedent, will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon P.S. Case No. 288 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/her bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

